

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

<b>IN RE:</b>	
<b>REMARKABLE HEALTHCARE OF CARROLLTON LP,</b>	<b>Case No.: 23-42098</b>
<b>REMARKABLE HEALTHCARE OF DALLAS, LP,</b>	<b>Case No.: 23-42099</b>
<b>REMARKABLE HEALTHCARE OF FORT WORTH, LP,</b>	<b>Case No.: 23-42100</b>
<b>REMARKABLE HEALTHCARE OF SEGUIN, LP,</b>	<b>Case No.: 23-42101</b>
<b>REMARKABLE HEALTHCARE, LLC,</b>	<b>Case No.: 23-42102</b>
<b>DEBTORS.<sup>1</sup></b>	<b>Joint Administration Requested Under Case 23-42098</b>

**DEBTORS' EMERGENCY MOTION FOR ORDER LIMITING NOTICE**

TO THE HONORABLE BRENDA T. RHOADES  
CHIEF UNITED STATES BANKRUPTCY JUDGE:

NOW COMES Debtors in the above-captioned Chapter 11 cases (collectively, the “Reorganization Cases”), and respectfully file this *Emergency Motion for Shortened Service List for First Day Motions* (the “Motion”), and, in support hereof, state as follows:

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<sup>1</sup> The Debtors in these jointly-administered chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are: Remarkable Healthcare of Carrollton, LP (5960), Remarkable Healthcare of Dallas, LP (3418), Remarkable Healthcare of Fort Worth (1692), Remarkable Healthcare of Seguin, LP (4566), and Remarkable Healthcare, LLC (5142).

## **I. JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. § 1334. Consideration of this action is a core proceeding pursuant to 28 U.S.C. § 157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.

2. On November 2, 2023 (the “Petition Date”), the Debtors commenced the Reorganization Cases by filing Voluntary Petitions for Relief under Subchapter V of Chapter 11 of Title 11 of the United States Code, 11 U.S.C. § 101, *et seq.* (the “Bankruptcy Code”).

3. The Debtors continue to operate their business and manage their properties as debtors-in-possession pursuant to sections 1182 and 1184 of the Bankruptcy Code. No trustee, examiner, or official committees have been appointed in the Reorganization Cases.

## **II. FACTUAL BACKGROUND**

4. The Debtors were formed in Texas from 2010 to 2013 and operate several skilled nursing facilities with hundreds of resident patients and employees located in Carrollton, Dallas, Fort Worth, and Seguin. Remarkable Healthcare is focused on the individual who needs healthcare services after his/her hospital stay and offers both services to help individuals return home as well as long term services for those who require extended care. Services are tailored to each individual with the goal of facilitating increased strength and flexibility while minimizing pain and impairment. Stabilizing the patient from a clinical, nursing, and social aspect is Remarkable Healthcare’s top priority.

5. The Reorganization Cases are intended to provide the Debtors and their estates a forum for the orderly and efficient reorganization of their assets and satisfaction of outstanding obligations, including working to refinance or restructure their debts. The Debtors believe this process will be in the best interests of their creditors and estates. Throughout these Reorganization

Cases, the Debtors will continue to work on refinancing options while also implementing cost-cutting measures and profit-centered efficiencies to stabilize their businesses and increase growth and liquidity to repay their debts over time through a plan of reorganization.

### **III. RELIEF REQUESTED**

6. The Debtors request an order limiting general notices to appropriate parties. In addition to hundreds of creditors, the Debtors also have hundreds of employees (part time and full time) and hundreds of resident patients. The Health Insurance Portability and Accountability Act (“HIPAA”) limits disclosure of patient names and information, which will limit the Debtors’ ability to provide a full matrix for notice purposes. The Debtors have a limited budget and wish to make the greatest use of funds to the utmost benefit of their creditors. The Debtors believe notice as requested hereby will provide sufficient notice to parties in interest and satisfy the goals of the Bankruptcy Code.

7. Pursuant to this Motion, the Debtors seek approval of the following shortened service list for all pleadings, motions, notices, and requests for relief:

- a. Debtors and their professionals;
- b. Secured creditors;
- c. The top 30 largest unsecured creditors between all Debtors;
- d. The U.S. Trustee;
- e. The Subchapter V Trustee;
- f. All governmental entities and federal, state, and local taxing authorities; and
- g. Those persons who have formally appeared and requested service pursuant to Fed. R. Bankr. P. 2002.

8. Debtors request an order allowing them to send notice to all creditors only of:
  - a. The first meeting of creditors;
  - b. The deadline to file proofs of claim;
  - c. Any disclosure statement, plan of reorganization, or ballots for accepting or rejecting such plan; and
  - d. Notice of hearing on, and time fixed for filing objections to, any disclosure statement or plan of reorganization.

9. The relief sought herein is important to the Debtors' reorganization, and without such relief, the Debtors and their estates will suffer immediate and irreparable harm, including preservation of estate assets and compliance with HIPAA and patient privacy. In light of the foregoing, the Debtors respectfully submit that the relief requested herein is essential for their reorganization, represents an exercise of their sound business judgment, and is in the best interests of their estates and creditors.

10. Bankruptcy Rule 9007 grants the Court authority to regulate notices, including timing, recipients, and form and manner of notices. Fed. R. Bankr. 9007.

11. Notice of this Motion is being given by email where known, or otherwise by first class mail, postage prepaid, concurrently with the filing hereof to the Office of the United States Trustee, the Sub-V Trustee, each of the Debtors' secured creditors and their counsel where known, all of Debtors' unsecured creditors and interested parties, and any party that has filed a notice of appearance or request for notice in these cases. No official committee or other trustee has been appointed in these Reorganization Cases. Accordingly, the Debtors submit, under the circumstances, no further or other notice is necessary at this time.

WHEREFORE, PREMISES CONSIDERED, the Debtors respectfully request that the Court (i) grant the Motion and the relief requested herein and (ii) enter an order (a) limiting notices in these

cases as contemplated herein, and (b) granting the Debtors all such other and further relief to which they may justly be entitled.

Dated: November 8, 2023

Respectfully submitted,

/s/ Mark A. Castillo

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***Proposed Counsel for Debtor  
and Debtor-In-Possession***

### **CERTIFICATE OF CONFERENCE**

On November 7, 2023, the undersigned proposed counsel for the Debtors conferred via phone with Mr. John Vardeman with the Office of the United States Trustee with respect to the foregoing motion and the emergency request for relief. Undersigned understands that the U.S. Trustee does not oppose the relief requested, subject to review of this pleading once filed.

/s/ Mark A. Castillo

Mark A. Castillo

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document was served on November 8, 2023 via ECF notice on all parties requesting such notice or via U.S. first class mail, postage prepaid, to all parties on the service list (*to be filed and attached in a concurrently filed Certificate of Mailing*), including the U.S. Trustee, Subchapter V Trustee, Debtor's secured creditors, all governmental units, and each of the Debtor's unsecured creditors.

/s/ Mark A. Castillo

Mark A. Castillo